

REMARKS**Revocation of Power of Attorney**

Applicant is enclosing herewith a Revocation of Power of Attorney and Appointment of New Attorney naming BRUCE H. TROXELL as attorney of record in this patent application. It is requested that all further correspondence regarding this matter be forwarded to TROXELL LAW OFFICE PLLC at the address listed on the enclosed form. A CHANGE OF ADDRESS FORM is also being submitted herewith.

Claim Rejections

Claims 1, 2 and 4 are rejected under 35 U.S.C. § 103(a) as being unpatentable over DeFord et al. in view of Maldonado et al. Claims 5 and 6 are rejected under 35 U.S.C. § 103(a) as being unpatentable over DeFord et al. and Maldonado et al. as applied to claim 1 and further in view of Ochiai.

Abstract of the Disclosure

Applicant is submitting herewith a substitute Abstract of the Disclosure for that originally filed with this application to more clearly describe the claimed invention. Entry of the substitute Abstract of the Disclosure is respectfully requested.

Drawings

It is noted that no Patent Drawing Review (Form PTO-948) was received with the outstanding Office Action. Thus, Applicant must assume that the drawings are acceptable as filed.

Substitute Specification

As required by the Examiner, a Substitute Specification is enclosed, along with a marked-up copy of the original specification indicating the changes made thereto by the Substitute Specification. No "new matter" has been added to the original disclosure by the Substitute Specification. Entry of the Substitute Specification is respectfully requested.

New Claims

By this Amendment, Applicant has canceled claims 1-9 and has added new claims 10-19 to this application. It is believed that the new claims specifically set forth each element of Applicant's invention in full compliance with 35 U.S.C. § 112, and define subject matter that is patentably distinguishable over the cited prior art, taken individually or in combination.

The new claims are directed toward an elastic conduction member of an isolation plate electrically connecting an IC device and a circuit board comprising: a plurality of conduction members (50), each of the plurality of conduction members having: a first elastic part (58) having two first protrusions (59) being spaced apart, each of the two first protrusions being spaced apart from opposing outer edges of the first elastic part; a second elastic part (62); and a middle part (57) connected between the first elastic part and the second elastic part, wherein the middle part is inserted into an insertion hole of an isolation plate, each of the two first protrusions of the first elastic part engaging a terminal of the IC device and the second elastic part engaging a contact of the circuit board.

Other embodiments of the present invention include: the first elastic part of each of the plurality of conduction members projects a length on the isolation plate that is greater than a distance between the middle part of two adjacent conduction members of the plurality of conduction members; each of the two first protrusions extend upwardly from a top surface of the first elastic part; the first elastic part includes a slot (63), the two first protrusions protrude inwardly and are located on opposing inner edges of the slot on an end of the first elastic part opposite the middle part; the second elastic part is bent at a predetermined angle relative to the middle part; the second elastic part of each of the plurality of conduction members projects a length on the isolation plate that is greater than a distance between the middle part of two adjacent conduction members of the plurality of conduction members; the second elastic part includes a soldering part (61); the second elastic part includes a second contact (60'); the middle part includes a second protrusion (573, 575) extending outwardly from a surface thereof; and the second protrusion includes first and second flaps (575) located on opposing edges the surface of the middle part, the first flap extending toward the second flap.

The primary reference to DeFord et al. teaches an electronic assembly including a socket spring (18) having, a base portion (24), a cantilever portion (28), and a spacer portion (26) located between the base portion and the cantilever portion.

DeFord et al. do not teach a first elastic part having two first protrusions being spaced apart; each of the two first protrusions being spaced apart from opposing outer edges of the first elastic part; each of the two first protrusions extend upwardly from a top surface of the first elastic part; the two first protrusions protrude inwardly and are located on opposing inner edges of the slot on an end of the first elastic part opposite the middle part; the second elastic part of each of the plurality of conduction members projects a length on the isolation plate that is greater than a distance between the middle part of two adjacent conduction members of the plurality of conduction members; the middle part includes a second protrusion extending outwardly from a surface thereof; nor do DeFord et al. teach the second protrusion includes first and second flaps located on opposing edges the surface of the middle part, the first flap extending toward the second flap.

The secondary reference to Maldonado et al. teaches an electrical conductor (16) having a first finger (52), a second finger (54), and a middle section (56) connecting the first and the second fingers.

Maldonado et al. do not teach a first elastic part having two first protrusions being spaced apart; each of the two first protrusions being spaced apart from opposing outer edges of the first elastic part; the first elastic part of each of the plurality of conduction members projects a length on the isolation plate that is greater than a distance between the middle part of two adjacent conduction members of the plurality of conduction members; each of the two first protrusions extend upwardly from a top surface of the first elastic part; the two first protrusions protrude inwardly and are located on opposing inner edges of the slot on an end of the first elastic part opposite the middle part; the second elastic part of each of the plurality of conduction members projects a length on the isolation plate that is greater than a distance between the middle part of two adjacent conduction members of the plurality of conduction members; the middle part includes a second protrusion extending outwardly from a surface thereof; nor do Maldonado et al. teach

the second protrusion includes first and second flaps located on opposing edges the surface of the middle part, the first flap extending toward the second flap.

The secondary reference to Ochiai teaches a contact sheet and is cited for teaching a contact (2) with a U-shaped notch (25) and curved contact portions (27) located on a free end of the contact on opposing sides of the notch.

Ochiai does not teach each of the two first protrusions being spaced apart from opposing outer edges of the first elastic part; the first elastic part of each of the plurality of conduction members projects a length on the isolation plate that is greater than a distance between the middle part of two adjacent conduction members of the plurality of conduction members; the two first protrusions protrude inwardly and are located on opposing inner edges of the slot on an end of the first elastic part opposite the middle part; the second elastic part of each of the plurality of conduction members projects a length on the isolation plate that is greater than a distance between the middle part of two adjacent conduction members of the plurality of conduction members; the middle part includes a second protrusion extending outwardly from a surface thereof; nor does Ochiai teach the second protrusion includes first and second flaps located on opposing edges the surface of the middle part, the first flap extending toward the second flap.

Even if the teachings of DeFord et al., Maldonado et al., and Ochiai were combined, as suggested by the Examiner, the resultant combination does not suggest: each of the two first protrusions being spaced apart from opposing outer edges of the first elastic part; the two first protrusions protrude inwardly and are located on opposing inner edges of the slot on an end of the first elastic part opposite the middle part; the second elastic part of each of the plurality of conduction members projects a length on the isolation plate that is greater than a distance between the middle part of two adjacent conduction members of the plurality of conduction members; the middle part includes a second protrusion extending outwardly from a surface thereof; nor does the combination suggest the second protrusion includes first and second flaps located on opposing edges the surface of the middle part, the first flap extending toward the second flap.

It is a basic principle of U.S. patent law that it is improper to arbitrarily pick and choose prior art patents and combine selected portions of the selected patents

on the basis of Applicant's disclosure to create a hypothetical combination which allegedly renders a claim obvious, unless there is some direction in the selected prior art patents to combine the selected teachings in a manner so as to negate the patentability of the claimed subject matter. This principle was enunciated over 40 years ago by the Court of Customs and Patent Appeals in In re Rothermel and Waddell, 125 USPQ 328 (CCPA 1960) wherein the court stated, at page 331:

The examiner and the board in rejecting the appealed claims did so by what appears to us to be a piecemeal reconstruction of the prior art patents in the light of appellants' disclosure. ... It is easy now to attribute to this prior art the knowledge which was first made available by appellants and then to assume that it would have been obvious to one having the ordinary skill in the art to make these suggested reconstructions. While such a reconstruction of the art may be an alluring way to rationalize a rejection of the claims, it is not the type of rejection which the statute authorizes.

The same conclusion was later reached by the Court of Appeals for the Federal Circuit in Orthopedic Equipment Company Inc. v. United States, 217 USPQ 193 (Fed.Cir. 1983). In that decision, the court stated, at page 199:

As has been previously explained, the available art shows each of the elements of the claims in suit. Armed with this information, would it then be non-obvious to this person of ordinary skill in the art to coordinate these elements in the same manner as the claims in suit? The difficulty which attaches to all honest attempts to answer this question can be attributed to the strong temptation to rely on hindsight while undertaking this evaluation. It is wrong to use the patent in suit as a guide through the maze of prior art references, combining the right references in the right way so as to achieve the result of the claims in suit. Monday morning quarterbacking is quite improper when resolving the question of non-obviousness in a court of law.

In In re Geiger, 2 USPQ2d, 1276 (Fed.Cir. 1987) the court stated, at page 1278:

We agree with appellant that the PTO has failed to establish a *prima facie* case of obviousness. Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching suggestion or incentive supporting the combination.

Applicant submits that there is not the slightest suggestion in either DeFord et al., Maldonado et al., or Ochiai that their respective teachings may be combined as suggested by the Examiner. Case law is clear that, absent any such teaching or suggestion in the prior art, such a combination cannot be made under 35 U.S.C. § 103.

Neither DeFord et al., Maldonado et al., nor Ochiai disclose, or suggest a modification of their specifically disclosed structures that would lead one having ordinary skill in the art to arrive at Applicant's claimed structure. Applicant hereby respectfully submits that no combination of the cited prior art renders obvious Applicant's new claims.

Summary

In view of the foregoing amendments and remarks, Applicant submits that this application is now in condition for allowance and such action is respectfully requested. Should any points remain in issue, which the Examiner feels could best be resolved by either a personal or a telephone interview, it is urged that Applicant's local attorney be contacted at the exchange listed below.

Respectfully submitted,

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By:


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